

For Immediate Release: September 3, 2015

For more information:

Margaret Byrne 413-253-8593 [margaret\\_byrne@fws.gov](mailto:margaret_byrne@fws.gov)

### HUDSON RIVER TRUSTEES FIND INJURY TO GROUNDWATER

The Hudson River Natural Resource Trustees (National Oceanic and Atmospheric Administration, U.S. Department of the Interior and the State of New York) released an injury determination report today finding that the tested groundwater of three towns is sufficiently contaminated that it exceeds groundwater standards. The report is part of the Trustees' efforts to measure natural resource injuries from General Electric's (GE) release of hazardous substances to the Hudson River from its manufacturing facilities in Hudson Falls and Fort Edward, New York. The Comprehensive Environmental Response, Compensation and Liability Act gives Natural Resource Trustees the authority to measure harm to natural resources, including the land, fish, wildlife, biota, air, water, and groundwater.

The release of hazardous substances - specifically polychlorinated biphenyls (PCBs) and volatile organic compounds (VOCs) - have caused repeated and prolonged exceedances of New York State groundwater standards for both substances in Hudson Falls and Fort Edward, NY, and the exceedance of the PCB groundwater standard in Stillwater, NY. Groundwater provides significant economic and ecological services to the public. The ability to use these services has been and continues to be severely curtailed as a result of the PCB and VOC releases. With this report, Trustees confirm this groundwater contamination is an injury to natural resources.

In Fort Edward and Hudson Falls, PCBs and VOCs reached the groundwater from decades of spills and leaks in the delivery, use, transfer, and storage processes at GE's facilities. Concentrations of these hazardous substances, measured in sampling wells, have been thousands of times higher than New York's groundwater standards. Groundwater contamination in Stillwater occurred because the well field connects hydraulically to the Hudson River. This allowed contaminated river water to contaminate the aquifer soils with PCBs, which in turn contribute PCBs to the groundwater.

Groundwater standards (0.09 parts per billion (ppb) for PCBs and 5 ppb for most VOCs) have been exceeded in Fort Edward and Hudson Falls groundwater for over 20 years. In Stillwater, the groundwater PCB levels have exceeded state groundwater standards since at least 2008.

The New York State drinking water standard for PCBs (0.5 ppb) differs from the groundwater standard (0.09 ppb). PCB levels in Stillwater exceed the groundwater standard but *not* the state drinking water standard. PCB levels in Fort Edward and Hudson Falls continue to exceed both standards. Fort Edward and Hudson Falls have not used groundwater as drinking water sources since the late 1980s, and the Stillwater well field has not been in use since 2011.

This injury determination report follows other Trustee reports that assessed how PCBs have restricted fish consumption and injured resident waterfowl, surface water resources, and navigational services. These are part of a broader investigation carried out by governmental agencies that seek to recover damages to restore the natural resources of the Hudson River.

The Trustees will use this injury determination report to inform the restoration work needed to compensate the public for this loss. The Trustees may seek to restore this injury to groundwater through the Natural Resource Damage Assessment and Restoration process by, for example, seeking to protect areas that naturally filter groundwater or by making improvements to drinking water infrastructure.

To access the report and for more information, visit the Hudson River Natural Resource Trustee websites: <https://darrp.noaa.gov/hazardous-waste/hudson-river>  
[www.fws.gov/contaminants/restorationplans/hudsonriver/index.html](http://www.fws.gov/contaminants/restorationplans/hudsonriver/index.html)  
[www.dec.ny.gov/lands/25609.html](http://www.dec.ny.gov/lands/25609.html)

**About the Trustees:** The Trustee agencies are the National Oceanic and Atmospheric Administration, the U.S. Department of the Interior and the State of New York. These entities have each designated representatives that possess the technical knowledge and authority to perform natural resource damage assessments. For the Hudson River, the National Oceanic and Atmospheric Administration represents the Department of Commerce; the U.S. Fish and Wildlife Service represents the Department of the Interior (including the National Park Service); and the New York State Department of Environmental Conservation represents the State of New York.

###